

OPENING STATEMENT

Ranking Member Eddie Bernice Johnson

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Hearing on the Cross-State Air Pollution Rule

U.S. House Committee on Science, Space, and Technology

I want to thank Chairman Hall for holding a hearing on the recently finalized Cross-State Air Pollution Rule, affectionately known as “Casper”.

This is a very complex and contentious regulatory issue, and not one that would fall within the Committee’s purview. But the principle is simple, and embodied in the Clean Air Act’s “Good Neighbor” provision. Air pollution doesn’t stop at the state line, and when the pollution from one state affects the air quality in another, measures should be taken to mitigate that impact.

For instance, the emissions of some pollutants from my home state of Texas - with its booming economy, growing population, and vibrant fossil energy sector - are some of the highest in the country. You can’t fence that in. So, it stands to reason that the effects will be felt somewhere downwind, and that we owe it to our neighbors to clean up our act. The hard part is figuring out how.

This is why we have an EPA, and why Congress and a Republican President passed the Clean Air Act - to identify threats to the environment and public health, and determine the fairest and most cost-effective ways to remedy them. However much we might wish for a world where big environmental issues are addressed voluntarily by industry or through the workings of the free market, or are best-regulated by the individual states, we all know that it just does not work that way. Now, more than ever, the American people need a strong EPA to protect their rights to clean air and water.

That said, while I will always be a strong defender of EPA’s charge to protect public health and the environment, I am concerned about their process for the inclusion of Texas in the final transport rule. As indicated in the letter my colleagues from Texas and I sent to OMB, some important affected parties in Texas feel that they did not have sufficient opportunity to comment. These parties will likely have difficulty meeting the timeline of the final rule. I simply feel that stakeholders need more time to work with EPA on an economically and environmentally responsible solution. A solution I know we can reach.

With so much at stake in this and other rules, EPA cannot afford to get bogged down and derailed by procedural missteps. What the public, state governments, and industry stakeholders need more than anything is regulatory certainty that allows for long-term investment planning. I sincerely hope that this somewhat irregular and confusing process has not laid the groundwork for what could be a protracted battle when, in the end, clean air is in everybody’s best interest.

Beyond those concerns, let me take this opportunity to clarify where I stand on the broader concern about the EPA.

First, do not mistake my position on this single issue as standing with Texas Governor Perry or others in the Republican Party in the misguided and disingenuous war on the dedicated scientists and public servants at the EPA. I do not join my governor in his race to the bottom as he seeks to out-compete the rest of the country in tearing down environmental and public health protections.

I stand with the people of Texas who, regardless of where they fall in the partisan divide, universally agree that they have a right to clean air and water, and that respiratory diseases, heart attacks, and premature deaths are not part of the sacrifice we have to make for the sake of the “Texas Miracle”. Air quality-related illnesses have very real and destructive effects on the economy – on the order of hundreds of billions of dollars annually - and the benefits for reducing those effects will be seen throughout the country.

Second, despite the noise from the echo chamber on the right, on the whole, EPA regulations DO NOT kill jobs. From catalytic converters to CFCs, scrubbers to seatbelts, for decades we have heard how almost every major environmental and consumer protection act that Congress considers will decimate the American industrial base and result in irreparable economic disruption, only to see the power of American innovation quickly leave these cynics and pessimists in the dust.

In fact, there is much more evidence showing that jobs are created and the economy expands following the passage of major reforms. For example, the U.S. economy grew by 64 percent in the years following passage of the Clean Air Act, and recent vehicle fuel economy and emissions standards have already resulted in the creation of over 150,000 jobs.

Yes, some types of industries will see a decline in the face of new regulations. In Texas, depending on how the relevant firms decide to comply, we stand to lose a number of rural jobs at lignite mines and power plants. I truly hate to see any family suffer a job loss. But, I am an optimist with a well-founded faith that ultimately these regulations act as a catalyst for the creation of new jobs and industrial sectors, and that the hardworking and talented Texas workforce will be the ones to benefit in the end.

In conclusion, my position on the specific issue of Texas’ inclusion in the final transport rule (CSAPR) is clear – Texas needs more time to consider the full implications of the rule, to submit comments to EPA, and possibly to prepare for implementation. Too many jobs in my state are at stake in the short-term. However, my position on the protection of public health through higher air and water quality standards, and our ability to meet those standards through home-grown innovation, should be equally clear and never in question. The sooner we learn that we do not have to sacrifice jobs for a cleaner environment, the sooner we will see a more robust economy and a healthier public. Two things we should all look forward to.

Thank you.